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Harbour East Community Council  
June 14, 2007

**TO:** Chair and Members of Harbour East Community Council

**SUBMITTED BY:** Sharon Bond  
Sharon Bond, Acting Director of Community Development

**DATE:** May 25, 2007

**SUBJECT:** Case 00881 - Rezone Various HRM Owned Lands to Park

**ORIGIN**

August 4, 2005 and November 3, 2005 - Harbour East Community Council passed separate motions to have certain HRM-owned lands rezoned to "P" (park) in Dartmouth.

**RECOMMENDATIONS**

It is recommended that Harbour East Community Council:

1. Give First Reading for the rezoning of the subject lands as shown on Maps 1, 2 and 3 and schedule a public hearing;
2. Approve the rezoning of 250 Pleasant Street, Dartmouth from S (Institutional) to P (Park) as show on Map 1.
3. Approve the rezoning of 737 Pleasant Street, Dartmouth from C2/R2 (General Business/ Two Family Residential) to P (Park) as shown on Map 2.
4. Approve the rezoning of Lot 1 Mount Edward Road, Dartmouth from R-1 (Single Family Residential) to C (Conservation) Zone as shown on Map 3.

### **BACKGROUND**

#### 250 Pleasant Street, PID#41146838

As shown on Map 1, the parcel at 250 Pleasant Street is located between North Woodside Community Centre and Reigh Allen Centre for Youth. This land is presently zoned Institutional (S) in the Dartmouth Land Use By-Law (LUB) and designated as Industrial under the Municipal Planning Strategy (MPS). It was acquired from the Province as part of the Harbour Solutions Project and Dartmouth Waterfront Greenway Project and has been identified as a possible entrance and trailhead for the Dartmouth Waterfront Trail.

#### 737 Pleasant Street, PID#00261040

As shown on Map 2, this land is located at the corner of Pleasant and Belmont Streets in a small residential enclave surrounded by Industrial uses. The land is presently zoned General Business/Two Family Residential (C-2/R-2) in the Dartmouth LUB and designated as Residential under the MPS. It was acquired by the Municipality in 1981 as the park dedication component of the subdivision process that created the surrounding residential community.

#### Lot 1 Mount Edward Road, PID#00261792

As shown on Map 3, this land fronts on an unused portion of the Mount Edward Road right-of-way and Cranberry Lake. It is adjacent to existing parkland and residential. It is zoned Single Family Residential (R-1) in the Dartmouth LUB and designated as Residential in the MPS. The land was acquired by the City of Dartmouth for Shoreline Conservation in 1983 through the subdivision process. Council had requested Park zoning on the land, but do to water quality issues staff supports a rezoning to Conservation. A Conservation Zone will permit passive recreational uses while restricting some of the more intense uses that a Park zoning would allow.

### **DISCUSSION**

Parks are permitted uses in all the existing zones and a rezoning is not required to permit the current use. Furthermore, there is no imminent threat to change the use or ownership of these lands. The land is already protected by virtue of its being held in public ownership. Although a municipality may “sell property at market value when the property is no longer required for the purposes of the municipality” (MGA, S. 50 (5)(b)), a rigorous assessment precedes any staff recommendation to dispose of public property in HRM. As the properties at 737 Pleasant Street and Mount Edward Road were acquired for parkland dedication through the subdivision process and the property at 250 Pleasant Street is valued at greater than \$150 000 a public hearing would be triggered if they were to be considered for disposal as per the Council approved *Transaction Policy for Real Property Acquisitions and Disposal*

The proposed rezonings shown in Table 1, can therefore be thought of as housekeeping amendments to ensure that zoning accurately reflects current uses while, at the same time, provide a level of security for the public that the park uses will remain as a community amenity in the long-term.

**Table 1: Summary of Land Use**

Lot	Size	Current Zone	Current Use	Proposed Zoning	Reason for Rezoning
250 Pleasant St PID#41146838	225 102 ft <sup>2</sup> (20 912 m <sup>2</sup> )	S	Park	P	Acquired from Province as part of the Harbour Solutions Project and Dartmouth Waterfront Greenway Project.
737 Pleasant St PID#00261040	20 000 ft <sup>2</sup> (1 858 m <sup>2</sup> )	C2/R2	Park	P	Acquired for parkland dedication.
Lot 1 Mount Edward Road PID#00261792	70 000 ft <sup>2</sup> (6 503 m <sup>2</sup> )	R1	Park	C	Acquired for shoreline conservation. Water quality issues in the past.

*Public information Meeting/Notification*

Due to the housekeeping nature of the rezoning, the area Councillors waived the public information meeting for these three parcels of land. Should Community Council decide to hold a public hearing, in addition to published newspaper advertisements, property owners in the area shown on Map 1, Map 2 and Map 3 will be sent written notification

**BUDGET IMPLICATIONS:**

There are no budget implications.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

1. Council may choose to approve the requested rezoning. This is the recommended course of action.
2. Alternatively, Council may choose to refuse the requested rezoning. This is not recommended for the reasons outlined above.

**ATTACHMENTS**

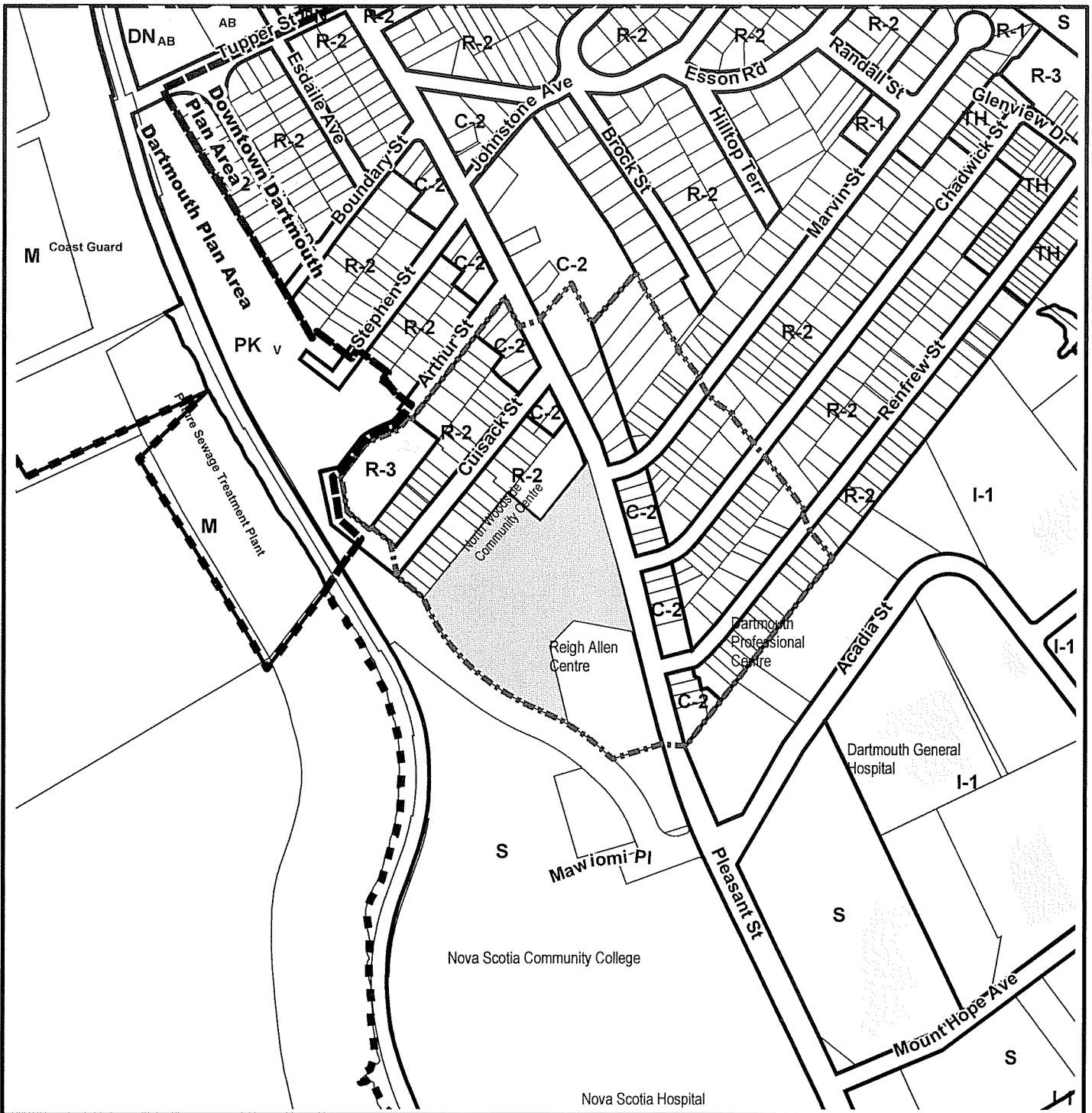
- Map 1: 250 Pleasant Street PID# 41146838  
Map 2: 737 Pleasant Street PID# 00261040  
Map 3: Lot 1 Mount Edward Road PID# 00261792

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Jennifer Chapman, Planner 1, 490-3999



Report Approved by: Austin French, Manager, Planning Services, 490-6717



Map 1  
 250 Pleasant Street  
 PID# 41146838



Subject Property to be rezoned P (Park)



Notification Boundary

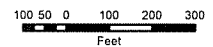
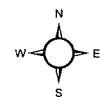
Dartmouth Land Use By-Law Area

**DARTMOUTH ZONES**

- R-2 Two Family Residential Zone
- R-3 Multiple Family Residential Zone
- C-2 General Business Zone
- S Institutional Zone
- I-1 Light Industrial Zone

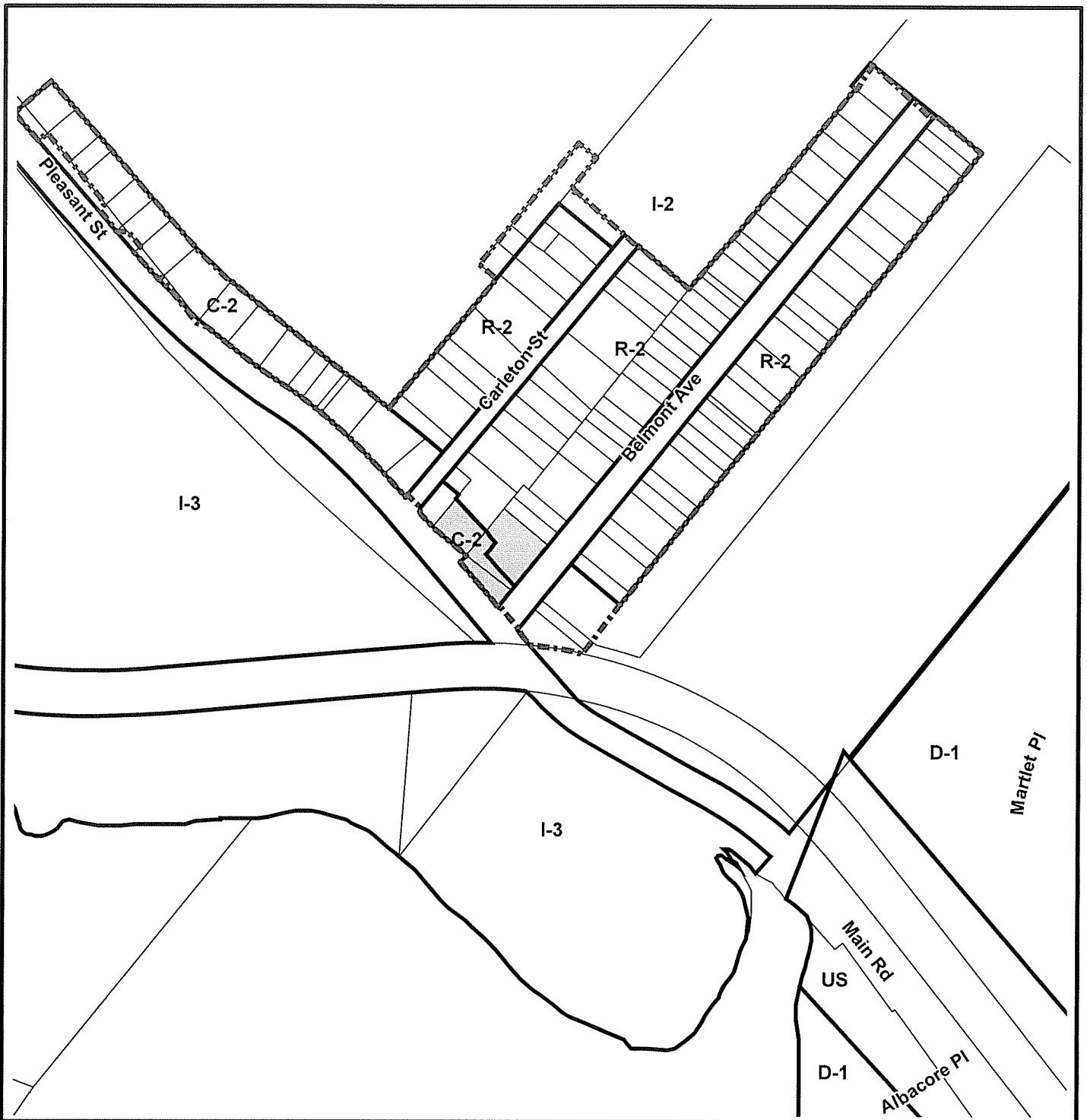
**DOWNTOWN DARTMOUTH ZONES**

- PK Park & Open Space Zone
- M Marine Business Zone





This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Land Use By-Law area

HRM does not guarantee the accuracy of any representation on this plan.



Map 2  
 737 Pleasant Street  
 PID# 00261040

-  Subject Property to be rezoned P (Park)
-  Notification Boundary

Dartmouth Land Use By-Law Area

**DARTMOUTH ZONES**

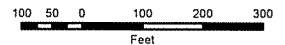
- R-2 Two Family Residential Zone
- C-2 General Business Zone
- I-2 General Industrial Zone
- I-3 Harbour Oriented Industrial Zone

**EASTERN PASSAGE-COW BAY ZONE**

- D-1 DND

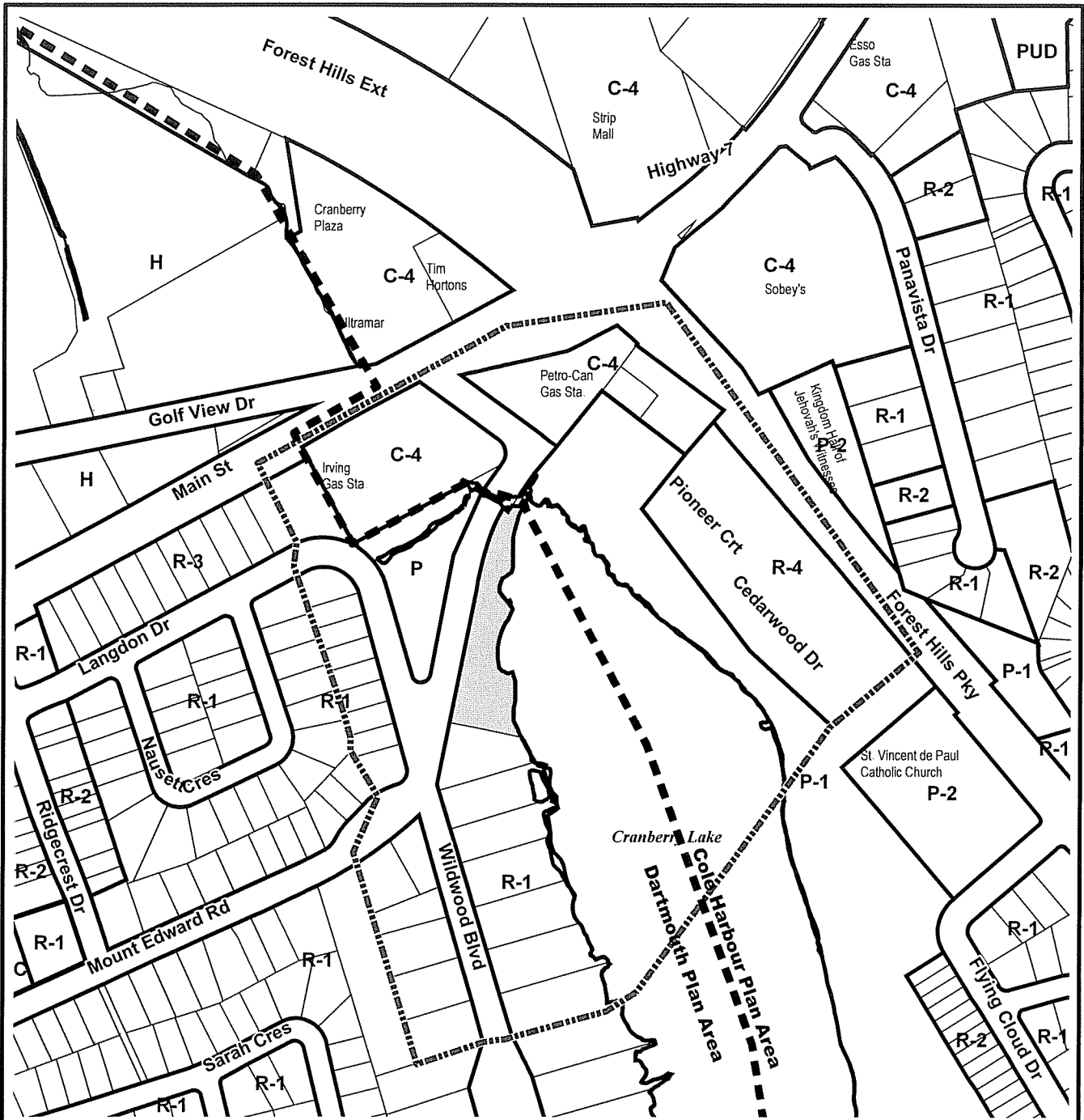


**HALIFAX**  
 REGIONAL MUNICIPALITY  
 COMMUNITY DEVELOPMENT





This map is an unofficial reproduction of a portion of the Zoning Map for the Dartmouth Land Use By-Law area.

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Map 3  
 Lot 1 Mount Edward Road  
 PID# 00261792

 Subject Property to be rezoned C (Conservation)

 Notification Boundary

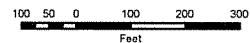
Dartmouth Land Use By-Law Area

**DARTMOUTH ZONES**

- R-1 Single Family Residential Zone
- R-2 Two Family Residential Zone
- R-3 Multiple Family Residential Zone
- H Holding Zone
- P Park Zone

**COLE HARBOUR ZONES**

- R-1 Single Unit Dwelling Zone
- R-2 Two Unit Dwelling Zone
- R-4 Multiple Unit Dwelling Zone
- C-4 Highway Commercial
- P-1 Open Space
- P-2 Community Facility
- PUD Planned Unit Development



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